

Minutes of the meeting of the Maine Criminal Justice Academy Board of Trustees held at the Maine Criminal Justice Academy Board Room on September 8, 2006.

Board Members Attending:

Mr. Brian MacMaster, Chair, Representing
Attorney General G. Steven Rowe
Mr. Richard Harburger
Sheriff Lloyd Herrick
Mr. Wesley Andrenyak, Secretary
Representing Commissioner Martin Magnusson
Colonel Craig Poulin
Ms. Janet Richards, Representing Commissioner Michael Cantara
Colonel Thomas Santaguida
Deputy Chief Amy Berry
Ms. Roberta Tibbetts
Mr. Laurel Daigle
Ms. Linda Smithers
Sergeant Travis Roy
Mr. Richard Davis
Mr. James Ferland
Ms. Lisa Webster

Board Members Absent

Chief Jerry Hinton
Ms. Lois Reckitt

Participants

Mr. Alan Hammond, Assistant Director
Mr. Jim Lyman, Training Coordinator
Mr. Eric Parker, Training Coordinator
Mr. Jack Murphy, Training Coordinator
Ms. Lauren Meservie, Training Coordinator
Lieutenant William Snedeker, Maine State Police
Sergeant Mark Warren, Maine Warden Service
Captain Millard Rachliffe, Maine State Prison
Correctional Officer Josh Black, Maine State Prison
Inspector John Twomey, South Western Ireland Fisheries
Ms. Karen Griffin, South Western Ireland Fisheries Board
Lieutenant Russell French, Kittery Police Department
Officer Brian Cummer, Kittery Police Department
Officer Robert Marino, Kittery Police Department
Ms. Rebecca Bean
Ms. Rosalie Morin, Training Coordinator Mountain View Youth Development Center
Lieutenant Terry Burgess, Knox County Sheriffs Office
Chief Deputy Todd Butler, Knox County Sheriffs Office
Deputy Patrick Fosnaught, Knox County Sheriffs Office
Chief David E. Lyons, Bridgton Police Department
Officer Christopher DeCapua, Bridgton Police Department

Item One on the Agenda: Call to Order

Chair MacMaster called the meeting to order at 10:09 A.M.

Item Two on the Agenda: Roll Call

Chair MacMaster asked the Board Secretary to conduct a roll call.

Chair MacMaster noted a quorum was present.

Item Three on the Agenda: Minutes of the Previous Meeting

Mr. Harburger moved and Colonel Poulin seconded.

MOTION: To accept the minutes of the September 8, 2006 Board of Trustees meeting as presented and to be placed on file.

Motion Carried.

Item Four on the Agenda: Certifications

A. Basic Law Enforcement Training Program Waivers

Mr. Murphy presented a request for a waiver of the Basic Law Enforcement Training Program for Officer Brian Cummer of the Kittery Police Department. Lieutenant Russell French and Officer Cummer were both present.

Sheriff Herrick moved and Deputy Chief Berry seconded.

MOTION: To approve the waiver of the Basic Law Enforcement Training Program for Officer Brian Cummer of the Kittery Police Department as presented.

A discussion ensued.

Motion carried.

Mr. Murphy presented a request for a waiver of the Basic Law Enforcement Training Program for Officer Robert Marino of the Kittery Police Department. Lieutenant Russell French and Officer Marino were both present.

Mr. Andrenyak moved and Sheriff Herrick seconded.

MOTION: To approve the waiver of the Basic Law Enforcement Training Program for Officer Robert Marino of the Kittery Police Department as presented.

A discussion ensued.

Motion carried.

Mr. Murphy presented a request for a waiver of the Basic Law Enforcement Training Program for Deputy Patrick Fosnaught of the Knox County Sheriffs Office. Chief Deputy Todd Butler and Deputy Fosnaught were both present.

Sergeant Roy moved and Mr. Andrenyak seconded.

MOTION: To approve the waiver of the Basic Law Enforcement Training Program for Deputy Patrick Fosnaught of the Knox County Sheriffs Office as presented.

A discussion ensued.

Motion carried.

B. Basic Law Enforcement Training Program Extensions:

Chair MacMaster noted that the extension request from the Van Buren Police Department for Officer Matthew Cummings had been withdrawn.

Mr. Murphy presented a request for an extension for the Basic Law Enforcement Training Program for Officer Christopher DeCapua of the Bridgton Police Department. Chief Lyons and Officer DeCapua were both present.

Mr. Andrenyak moved and Sheriff Herrick seconded.

MOTION: To approve the extension of up to 180 days for the Basic Law Enforcement Training Program for Officer Christopher DeCapua of the Bridgton Police Department.

A discussion ensued.

Mr. Ferland moved and Sheriff Herrick seconded.

MOTION: To table the motion for an extension for the Basic Law Enforcement Training Program for Officer Christopher DeCapua of the Bridgton Police Department.

Motion carried.

A discussion continued.

Mr. Ferland moved and Colonel Poulin seconded.

MOTION: To bring the matter of an extension for the Basic Law Enforcement Training Program for Officer Christopher DeCapua back to the table.

Motion carried.

Ms. Smithers moved and Mr. Ferland seconded.

MOTION: To grant a 30 day extension to Officer DeCapua on the condition that he passes Board mandated physical fitness entry standards by December 20, 2006.

A discussion ensued.

Motion carried.

C. Basic Corrections Training Program Extensions:

Mr. Parker presented a request for an extension for the Basic Corrections Training Program for Deputy Jason Taylor of the Oxford County Sheriffs Office. Sheriff Herrick was present.

Mr. Ferland moved and Colonel Poulin seconded.

MOTION: To approve the extension of up to 90 days for the Basic Corrections Training Program for Deputy Jason Taylor of the Oxford County Sheriffs Office.

A discussion ensued.

Motion Carried. Sheriff Herrick abstained.

Mr. Parker presented a request for an extension for the Basic Corrections Training Program for Corrections Officer Richard Laliberte II of the Charleston Correctional Facility. Ms. Rosalie Morin was present.

Sheriff Herrick moved and Mr. Andrenyak seconded.

MOTION: To approve the extension of up to 90 days for the Basic Corrections Training Program for Corrections Officer Richard Laliberte II of the Charleston Correctional Facility.

A discussion ensued.

Motion Carried.

D. Law Enforcement Intermediate Certification

Mr. Parker presented the request for the Intermediate Officer Certification for the following officer:

Officer Justin T. Leighton, Baileyville Police Department

Mr. Daigle moved and Ms. Webster seconded.

MOTION: To approve the Intermediate Officer Certification as presented.

A discussion ensued.

Motion carried.

Mr. Parker presented the request for the Intermediate Officer Certification for the following officer:

Officer David A. Savage, Madison Police Department

Sergeant Roy moved and Ms. Smithers seconded.

MOTION: To approve the Intermediate Officer Certification as presented:

A discussion ensued.

Motion carried.

E. Law Enforcement Advanced Certification

Mr. Parker presented a request for the Advanced Officer Certification for the following officers:

Chief Richard Caton III, Farmington Police Department
Officer Vernon M. Stevens, Farmington Police Department
Officer Darin S. Gilbert, Farmington Police Department
Officer Shane P. Cote, Farmington Police Department
Officer Marc R. Bowering, Farmington Police Department
Officer Jack D. Peck, Jr., Farmington Police Department
Officer Bridgette L. Dellarma, Farmington Police Department
Officer Shawn Donahue, Baileyville Police Department

Ms. Tibbetts moved and Mr. Davis seconded.

MOTION: To approve Advanced Officer Certifications as presented.

Motion carried.

F. Canine Handler / Team Certification

Mr. Parker presented a request for Canine Handler / Team Certification for the following individuals:

Warden Michelle Belanger / Duchess, Maine Warden Service
Warden Dan Scott / Roxie, Maine Warden Service
Officer Amy Nickerson / Mace, Brewer Police Department

Sergeant Roy moved and Colonel Poulin seconded.

MOTION: To approve Canine Handler Team Certification for the above individuals as presented.

Motion carried.

G. Instructor Certification

Ms. Meservie presented the request for Instructor Certification for the following individuals:

Officer Kristopher Bouchard, Auburn Police Department
Corrections Officer Richard Brooks, Maine State Prison
Officer Sears Edwards, Gorham Police Department
Officer Steven Gosselin, Auburn Police Department
Officer Michael Lothrop, Bridgton Police Department
Corrections Officer George Mele, Maine State Prison

Mr. Ferland moved and Mr. Andrenyak seconded.

MOTION: To approve Instructor Certification for the above individuals as presented.

Motion carried.

H. Course Certification

Mr. Hammond presented a request for approval of Course Certification for “*White Collar Crime and Terrorism*.”

Deputy Chief Berry moved and Ms. Tibbetts seconded.

MOTION: To approve Course Certification for “*White Collar Crime and Terrorism*” as presented.

A discussion ensued.

Motion carried.

Mr. Hammond presented a request for approval of Course Certification for “*Public Safety Communications Training*.”

Mr. Daigle moved and Colonel Santaguida seconded.

MOTION: To approve Course Certification for “*Public Safety Communications*” as presented.

A discussion ensued.

Motion carried.

Mr. Hammond presented a request for approval of Course Certification for “*Teen Dating Violence*.”

Mr. Andrenyak moved and Sheriff Herrick seconded.

MOTION: To approve Course Certification for “*Teen Dating Violence*” as presented.

A discussion ensued.

Motion carried.

Mr. Parker presented a request for approval of Course Certification for “*NIC Field Training Officer*.”

Sheriff Herrick moved and Mr. Daigle seconded.

MOTION: To approve Course Certification for “*NIC Field Training Officer*” as presented.

A discussion ensued.

Motion carried.

Item Five on the Agenda: Criminal Convictions and Waiver Requests

Chair MacMaster presented the request for a waiver of a conviction for Correctional Officer Joshua Black of the Maine State Prison. Officer Black and Captain Rachliffe from the Prison were present. Mr. Black is seeking a waiver for a conviction for “Trafficking in Dangerous Knives”.

Mr. Ferland moved and Ms. Tibbetts seconded.

MOTION: To approve a waiver of the conviction of “Trafficking in Dangerous Knives” to allow Mr. Black to attend the Academy.

A discussion ensued.

Motion carried.

Chair MacMaster presented the request for a waiver of a conviction for Ms. Tracey Borden of the Mountain View Youth Development Center. Ms. Borden and Ms. Rosalie Morin from the Development Center were present. Ms. Borden is seeking a waiver for a conviction for “Operating a Motor Vehicle Under the Influence of Intoxicating Liquor.”

Mr. Ferland moved and Sheriff Herrick seconded.

MOTION: To approve a waiver of the conviction of “Operating a Motor Vehicle Under the Influence of Intoxicating Liquor” to allow Ms. Borden to attend the Academy.

A discussion ensued.

Motion carried.

Chair MacMaster informed the Board that the matter of Gerald Grierson has been removed from the agenda because Mr. Grierson voluntarily surrendered his certificate to perform law enforcement or correction functions.

Chair MacMaster presented the conviction of Rebecca Bean for “False Swearing.” Ms. Bean was employed as a corrections officer.

Sheriff Herrick moved and Mr. Ferland seconded

MOTION: To revoke the certification of Rebecca Bean as a correctional officer.

Ms. Bean addressed the Board and a discussion ensued.

Motion carried.

Item Six on the Agenda: Complaint Committee Report

Ms. Smithers informed the Board that the Committee was reviewing five active cases and had one case to present to the Board in Executive Session. Ms. Smithers suggested that this could be at the end of the meeting.

Item Seven on the Agenda: Committee Reports

Administrative Rules Committee

Deputy Chief Berry advised the Board that the Committee had nothing to present at this time.

Item Eight on the Agenda: Reports from the Board Chairman

Chair MacMaster informed the Board that he and the Director had been in contact during the summer to discuss various Academy issues. The Chair also advised the Board that he spoke with the Cadre for the current BLETP regarding the Board's philosophy on basic training. He commented on the high quality of personnel assigned as cadre to this school.

Item Nine on the Agenda: Reports from the Director

1. General Items:

- I first must apologize for missing the 9/8/2006 meeting (my first), but I have a family commitment for that day. I will make sure that Commissioner Cantara, Chairman MacMaster and Mr. Alan Hammond are briefed.
- We are still progressing with BGS on the parking lot issues. Commissioner Cantara, Deputy Commissioner Gatus from DAFS, Mr. Alan Hammond, myself and Mr. Barry Cote and Joe Ostwald from BGS have met several times this summer about the possible parking lot scenarios. We have 4 possible alternatives that are being explored further for future graduations and long-term parking needs.
- We had the lawn area mowed at the lower end of Oak Grove Road, near Route 201 as 1 possible alternative. The triangular section of lawn just below the main parking lot lawn area was also mowed. Joe Ostwald the engineer is still looking into 2 other alternatives, which includes a site review from Deluca-Hoffman.
- At this point, none of three parking alternatives will be completed for the 12/15/2006 graduation of the 11th BLETP. Because of that, my staff and I have reviewed several locations for the graduation and chosen Thomas College. We have formally entered into a MOU for \$1,050.
- Sue Holmes resigned as a Training Coordinator from the Academy on August 2nd to seek other employment. She had been with the Academy for about 8 months. We are in the process of filling the position and will be interviewing candidates in September. Training Coordinator Lauren Meservie is temporally being assigned to Southern Maine.
- Patty Pinkham has retired on 8/31/2006 after 27 years of service. She has been with the Academy for the past 13 years. We had a retirement coffee for her and she was given a plaque and some gifts. Many attended. Her institutional knowledge, smiling face, and the food and candy goodies she brought in, will be sorely missed.
- Until Patty's position is filled, her workload will temporally be divided up amongst almost the entire MCJA staff.
- I have hung all the old pictures of graduation classes on the 2nd and 3rd floor. It has taken me 2 years to identify all the faces, standardize the frames, and reframe for archival purposes the class pictures using acid free paper and UV protection glass.
- HR 218 has become a reality in Maine. This federal law allows retired officers the right to carry a concealed firearm in all 50 States, which became effective in 2004. After several meetings with the Maine Chiefs, the Maine Sheriffs, the Maine State Police, the AG's Office and the Academy, our plan is to have certified firearms instructors qualify the individuals, then the Academy would issue a card indicating they have met the firearms standards in Maine as a result of HR 218. This would be good for 1 year. All this information on HR 218 is on the Academy's website, including the forms, the law and a list of the 47 certified firearms instructors that are willing to participate in this. We did have a meeting with the instructors to go over the protocols this past summer. Training Coordinator Jim Lyman and Alan Hammond have worked very hard on this project.

2. Basic Law Enforcement Training Program (BLETP):

- The 11th BLETP started with 110 names, including 54 John Doe slots and it was paired down to 62 Cadets that started. Every officer that qualified got in, so there is no waiting list.
- The Cadre for this class are: Sgt. Frank Poirier, Maine State Police; Sgt. David Tripp, Maine State Police; Sgt. Michael Tuminaro, Kennebec County SO; Off. Frank Gorham, Portland PD; Off. Eugene Gallant, Windham PD and Wdn. Terry Hughes, Maine Warden Service.

- By the end of the second week, we have lost 3 people. The first was on Day 3 because of a medical issue. The officer will probably be back at the next class. The next 2 left for personnel reasons on Day 6. All were given exit interviews.

3. MCJA Budget Issues:

- I am in the process of working with the Commissioner and the DPS financial people to prepare the FY 08/09 budget using the guidelines outlined by the executive branch. There is nothing more to report at this time, but I will keep you informed as it unveils.

4. Other Issues:

- On 8/31/2006 we started the first teleconference presentation of the Law Enforcement Pre-Service (LEPS) program. The University of Maine at Fort Kent has partnered with the Maine Criminal Justice Academy to do this and Jim Lyman has been working very hard to pull this off. I'll let you know how it progresses.
- Training Coordinator Eric Parker has been working with National Institute of Correction representatives from around the country and many Maine Correctional Officers to complete a Job and Task Analysis of what State Correctional Officers do, what County Jail Correctional Officers do and what Juvenile Correctional Officers do. This has taken about 2 months.
- Eric will reapply to NIC and most probably will get another free grant to have the group come back and work with the new Goals, Objectives, and Job Tasks. The grant will give the technical assistance needed to write the lesson plans for all the Basic Correction Programs.
- The policy Committee of the Maine Chiefs of Police Association has worked very hard this summer to rewrite the mandatory model policies based on the new mandatory standards that the Board of Trustees voted on in April of 2006. I intend to make the presentation to the Maine Chiefs and Maine Sheriffs on the changes in September. They include: Hostage or Barricaded Subject Incident, Response to Behavior of Person in Mental Health Crisis, Hate or Bias Crimes, Police Pursuit, Citizen Complaints, Criminal Conduct by a Law Enforcement Officer, and Death Investigations.

Item Ten on the Agenda: Old Business

None at this time.

Item Eleven on the Agenda: New Business

Ms. Rosalie Morin, Chair of the Corrections Advisory Committee, advised the Board that the Committee is recommending the following courses as mandatory training for corrections officers during 2007:

1. New Law Up-dates;
2. Communications Skills; and
3. Two topics from the following list:
 - a. Direct supervision
 - b. Ethics
 - c. Cross gender supervision
 - d. Searches including strip searches

Mr. Andrenyak moved and Sheriff Herrick seconded.

MOTION: To approve the mandatory training for corrections officer in 2007 as presented by the Corrections Advisory Committee.

A discussion ensued.

Motion Carried.

Item Twelve on the Agenda: Executive Session

Mr. Ferland moved and Mr. Daigle seconded.

MOTION: To go into Executive Session at 11:27 pursuant to 1 M.R.S.A. § 405(6) and to discuss personnel information that is confidential under 25 M.R.S.A. §2806(8) and 30-A M.R.S.A. § 2702.

Motion carried.

The Board reconvened its public meeting at 11:31

Ms. Smithers reported that the Complaint Committee is recommending to the Board that the Board proceed to an adjudicatory hearing on Peter Gscheidle

MOTION: To conduct an adjudicatory hearing in the matter of Peter Gscheidle

Motion Carried.

Item Thirteen on the Agenda: Adjournment

MOTION: To adjourn the meeting of September 8, 2006.

Motion carried.

Chair MacMaster adjourned the meeting at 11:34. The next meeting is scheduled for October 6, 2006 at 10:00 A.M. at the Maine Criminal Justice Academy in Vassalboro.

WESLEY ANDRENYAK, Secretary